



August 9, 2024

Re: **PUBLIC HEARING**

11. Consideration of a Resolution Approving File Nos. SPR-2024-007, DPR-2024-001, SCP-2024-001, OTP-2024-008, VAR-2024-003, and TTM-2024-001, a Request for Development of a 77-Acre Vacant Property Located at 4790 Las Virgenes Road at the Eastern Terminus of Agoura Road (APNS: 2069-078-009 and 2069-078-011).

Dear Honorable Calabasas City Council:

Save Open Space/Santa Monica Mountains supports that this entire property be purchased at fair market value as parkland. This property is a critically identified NPS Wildlife Corridor and mountain lion habitat. (See attachments) This should be a CEQA identified Superior Environmental Alternative.

There is available Wildlife Conservation Board reserve funding passed by the voters in 1990 for protection of the state's mountain lions to purchase property like this for parkland and mountain lion habitat. I confirmed the status of this robust state parkland fund in a conversation with the former Director Donnelly at the recent Triangle Ranch dedication.

The grading footprint is substantially similar to the original project. This massive grading, involving the huge landslide/mountainside area, will be very expensive. With the higher cost of construction now in California and for a mere 70 single family homes, this does not make financial sense. We feel that it doesn't pencil out in time and money. Most importantly, the housing needs in our SCAG area do not warrant more high priced single family homes.

This action fails to comply with 2019 State Law AB 747 (Hazard and Safety Elements) "shall" requirements. The CEQA Wildfire issue is significant. The CEQA finding is not "No" here. This property is in a Very High Fire Hazard Severity Zone (VFHSZ). Adding any population to an already congested major wildfire evacuation road-Las Virgenes Road- results in a significant safety impact and will add precious minutes to existing residents' evacuations.

Several recent lawsuits (Lake County, Otay Ranch, and Big Bear Moon Camp) were won on this issue of lead agencies' failures "to identify evacuation routes, their capacity,

safety, and viability under a range of emergency scenarios". (AB 747-2019) Emergency scenarios here should include: not only during commuter cut through times, beach traffic times, but also during AE Wright school in session time. In addition, depending on the now frequent Santa Ana wind blown fire's pathway, Malibu residents might have to get out on Las Virgenes Road to safety if their PCH evacuation route is blocked.

Save Open Space respectively submits these official comments as part of the record on this proceeding.

Mary Wiesbrock
Mary Wiesbrock, Chair

Attachment #1: This map is the SMMNRA 2016 mountain lion ranges which shows this area was the range for P23, P27, P30.

Attachment #2: Mountain Lion Park Bond Fund Petition Prop 117, 1990

Attachment #3 and #4: SMMNRA draft Natural Resource Plan map and language 1982

Prop 117 (1990)

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

WILDLIFE PROTECTION. INITIATIVE STATUTE. Establishes Habitat Conservation Fund. Transfers \$30 million to Fund annually from existing environmental funds and General Fund. Monies from Fund appropriated to Wildlife Conservation Board; Coastal, Tahoe, Santa Monica Mountains Conservancies; state and local parks programs. Funds to be used principally for acquisition of deer and mountain lion habitat; rare and endangered species habitat. Remaining funding for wetlands; riparian and aquatic habitat; open space; other environmental purposes. Prohibits taking of mountain lions unless for protection of life, livestock or other property. Permit for taking required, but prohibits use of poison, leg-hold or metal-jawed traps and snares. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: For 1990- 91, the measure will result in expenditures of approximately \$15 million from the Unallocated Account in Cigarette and Tobacco Products Surtax Fund. This amount will likely decrease in subsequent years. The measure's General Fund costs for 1990-91 will be approximately \$15 million. This sum is likely to increase in subsequent years. Extent of increase dependent on how much revenue is transferred to the Habitat Conservation Fund from various designated funds other than General Fund. Annual administrative costs estimated at up to \$1.35 million. Operation and management of habitat properties after acquisition will possibly cost \$1 million or more annually.

CIRCULATOR: See instructions on back.

SIGNER: Please fill in all information by hand in ink. Use only ball point pens.
No ditto marks. No abbreviations. No P.O. boxes.

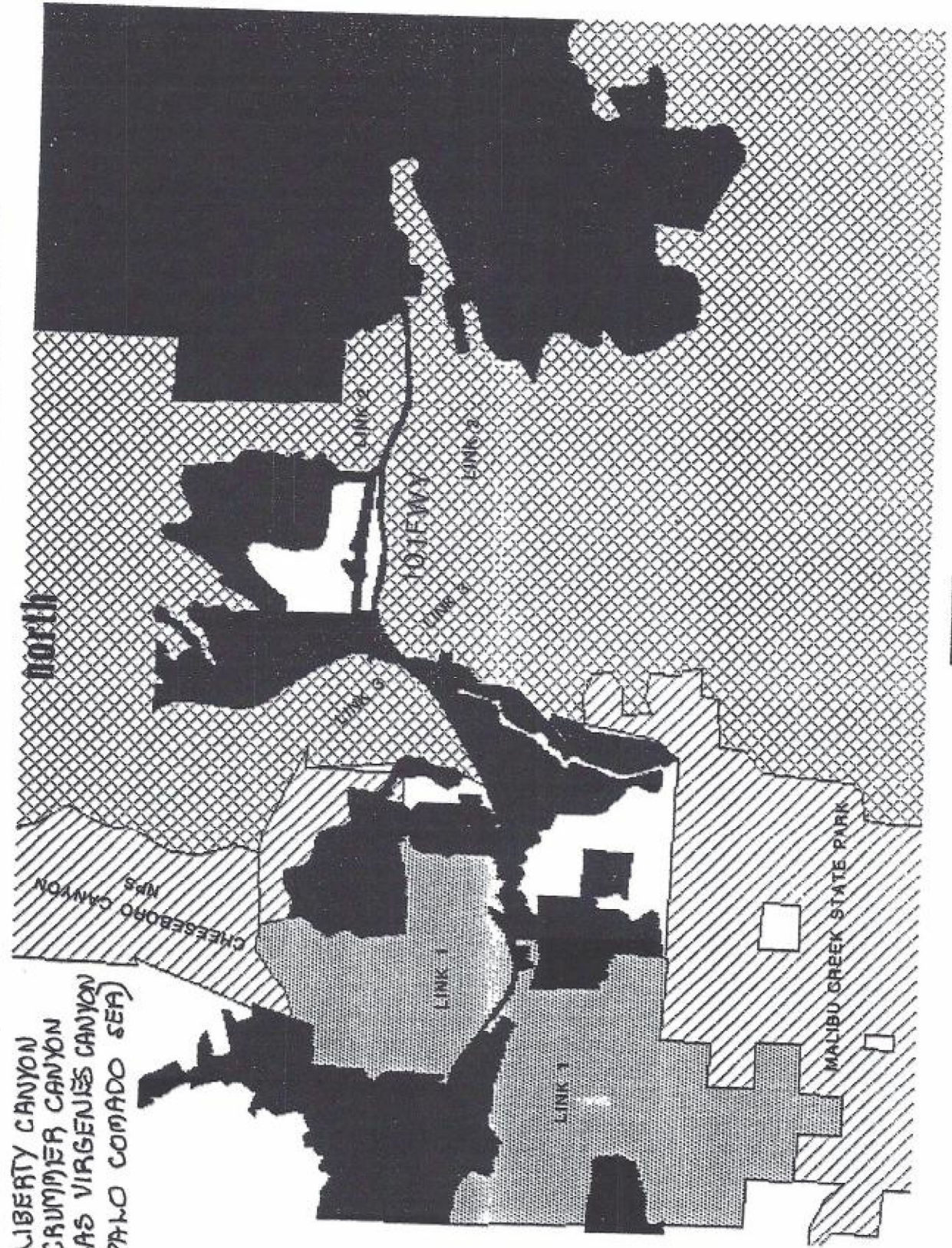
THIS COLUMN
FOR OFFICIAL
USE ONLY

All Signers of this petition must be registered in _____ County.

REGISTERED VOTERS ONLY

1	_____ SIGNATURE AS REGISTERED	_____ RESIDENCE ADDRESS	
	_____ PRINT YOUR NAME	_____ CITY	_____ ZIP
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HABITAT LINKAGES SANTA MONICA MOUNTAINS NATIONAL RECREATION AREA



- LINK 1 LIBERTY CANYON
- LINK 2 CRUMPIER CANYON
- LINK 3 LAS VIRGENES CANYON
(PALO COMADO SEA)



1 mile

Wildlife Corridors

The establishment of wildlife corridors has been mandated now by Prop. 70, but I have yet to find the documentation. Prop. 70 implementation is the responsibility of the Santa Monica Mountains Conservancy, and by way of cooperative management, of the Park Service.

The establishment of wildlife corridors is also the operative policy of the SMMNRA, as embodied in the Draft Natural Resource Management Plan for the SMMNRA, issued in 1982. This Plan was subjected to review, and approved as it stood. It was never reprinted with a new cover, and is therefore still referred to as a draft. As with other administrative procedures adopted pursuant to legislation, it is binding upon Park Service personnel, and has the force of law.

The document states:

"One of the most important concepts for managing wildlife populations in the Santa Monica Mountains is the principle of maintaining open spaces between areas of urban development for purposes of wildlife movement. These 'wildlife corridors' are essential for stabilization of wildlife population dynamics with the carrying capacity of a specific habitat for a specific species. Without natural corridors for movement, certain populations of wildlife will become isolated within principal feeding areas, resulting in over-utilization of that habitat by a particular species. In a natural ecosystem, when the carrying capacity of a habitat is overextended by the number of individuals utilizing it, intraspecific competition will result in either emigration of individuals until the carrying capacity is reached, or population decline due to death by starvation, disease, or both.

"The opposite of this situation is also true. When a wildlife population drops below the carrying capacity of the environment due to predation, disease or some other limiting factor, it becomes essential that another individuals of the species migrate into the area to breed with the existing population and replenish its numbers. Therefore, one of the primary tasks of the wildlife management program for the Santa Monica Mountains will be to identify essential wildlife habitats and corridors and make recommendations to local land management agencies and private landowners for protection of wildlife habitat to prevent localized extinction."

The recently issued Land Capability Study (1979) identifies a wildlife network connecting some 90,000 acres which encompass key habitats for wildlife. The identified network is declared to be the minimum requirement to maintain the ecological balance to support diverse and healthy wildlife populations. Palo Comado Canyon and Cheeseboro Canyon have been identified as an integral link in the wildlife network connecting the Santa Monica Mountains with the Simi Hills, and with the Santa Susana Mountains and San Gabriels beyond.

From: Michael Harrison <harrisonlaw@gmail.com>

Sent: Tuesday, August 13, 2024 8:02 AM

To: James Bozajian - External <jrbozajian@earthlink.net>; Peter Kraut <pkraut@cityofcalabasas.com>; David Shapiro <dshapiro@cityofcalabasas.com>; Alicia Weintraub <aweintraub@cityofcalabasas.com>; Edward Albrecht <ealbrecht@cityofcalabasas.com>; info <info@cityofcalabasas.com>

Subject: West Village, Public Hearing, Item 11, August 14, 2024

Dear Mayor Weintraub and Members of the City Council,

Unfortunately, I'm unable to attend the Council meeting Wednesday evening, but these are my comments, many of which are meant for the applicant.

1. **SITE PLAN.** The site plan is certainly much improved. The original site plan was based on a plan developed for penitentiaries, mental hospitals and military barracks back in the 19th Century. The architecture is also much better, and the current architects are far more experienced in building small-lot homes than the previous one. But unfortunately, the footprint is identical.

2. **FIRE.** That means that fire is still the biggest issue, and as I've said before, traffic cannot move on Las Virgenes during a local fire. We all learned that during the 1997 fire, when kids were being evacuated out of A.E. Wright and their buses were stuck on Las Virgenes with flames right next to them.

3. **ROOFTOP SPRINKLERS.** Our staff said that interior sprinklers and fire hardening outside would be sufficient, but that's untrue. Look what happened to the Goodnight Inn from the Woolsey Fire. Instead, the applicant should install rotary sprinklers on the roofs of all the homes, as they do in Australia. The fire consultants for this project don't have a website, so I don't know if they're familiar with that.

4. **PEDESTRIAN EVACUATION.** The developer should assume not one person will be able to leave by car. The homes on the two streets in the back of this box canyon will probably be incinerated in one of the firestorms that will hit that area *again*. So plans should be made for people to evacuate by foot to the Albertson's parking lot or perhaps to the hotel or even to A.E. Wright. Any plan for just vehicular evacuation is fatally optimistic.

5. **COMPLETION BOND AND GUARANTY.** The Council must insist on a completion bond. Look at what happened with previous developments along Las Virgenes involving a fraction of the earth movement. Even where I live in Calabasas Park, the Lusk Company's LLC went bankrupt so it wouldn't have to fix the million dollar landslides it created. The City should insist that the parent company guarantee the work done by the minimally funded LLC. The City shouldn't be stuck with a multi-million dollar bill to clean up and finish the grading if the LLC backs out.

6. **COLOR OF CEMENT CHANNELS.** Regarding the grading, I'm glad that the restoration will include only native plants, but can you require the developer to tint all the cement channels a light earth-tone color? Otherwise, these cement channels will stand out just like the other ones in what's left of our scenic corridor.

7. **THANK YOU.** Finally, considering the untenable position the City was put in from within, this is still a big improvement over what was given to us to review on the Planning Commission. I want to thank you for all of your efforts.

Kind regards,

Michael

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